

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE**

**NEAL HYNEMAN, on behalf of himself  
and all others similarly situated,**

**CIVIL ACTION NO.  
2:21-cv-02427-TLP-cg**

**Plaintiff**

**Versus**

**AUTOZONE, INC.,**

**Defendant**

**DECLARATION OF PATRICK B. JOHNSON**

**STATE OF TENNESSEE**

**COUNTY OF SHELBY**

Pursuant to 28 U.S.C. § 1746, I, **Patrick B. Johnson**, declare under penalty of perjury that the following statements are true and correct:

1. I am over the age of 18, the following facts are within my personal knowledge, and I am therefore competent to testify with regard to the facts recited in this Declaration.

2. I am currently employed by Defendant, AutoZoners, LLC ("AutoZoners, LLC") as Director, Income Tax in Memphis, Tennessee, and have personal knowledge of the matters contained in this Declaration.

3. AutoZoners, LLC is a limited liability company formed under the laws of Nevada, licensed to do business in the State of Texas, and maintains its principal place of business in Tennessee. The sole member of AutoZoners, LLC is AutoZone Investment Corporation.

4. AutoZone Investment Corporation is incorporated under the laws of Nevada with a principal place of business in Tennessee. AutoZone Investment Corporation is a subsidiary of Defendant, AutoZone, Inc. ("AutoZone, Inc."). Thus, AutoZoners, LLC is a subsidiary of AutoZone, Inc.

5. AutoZone, Inc. is a publicly owned corporation formed under the laws of Nevada.

6. AutoZoners, LLC provides personnel management and employment services to AutoZone retail store locations.

7. AutoZoners, LLC employs the retail store personnel who support and perform services for those stores.

8. AutoZone, Inc. has no employees and maintains no control over any AutoZoners, LLC personnel who work inside the retail stores or support and perform services for the retail stores.

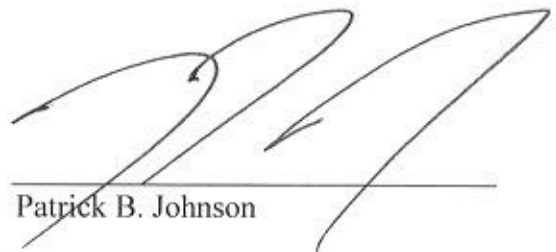
9. Since August of 1995, AutoZone, Inc. has not been listed as the employer of record for any state payroll filing in Tennessee, such as payroll taxes or unemployment insurance, nor has it been listed as the employer of record for any federal filing, such as payroll taxes, FUTA insurance, or W-2's.

10. AutoZone, Inc. was improperly named as a Defendant in this action.

11. AutoZoners, LLC is the entity that employed Plaintiff and other employees in New York, and, accordingly, is the only proper corporate defendant in the captioned lawsuit.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 17 day of August, 2021.



Patrick B. Johnson